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RECEIVED

MAY 13 2025

CLERK, U.S. DISTRICT COURT
MINNEAPOLIS, MINNESOTA

9 UNITED STATES DISTRICT COURT
10 FOR THE DISTRICT OF MINNESOTA
11

12 Steve Salvador Ybarra
13 Self-Represented
14 Pro Se Litigant,
15
16 Plaintiff,

No. . 0:25-cv-01948-KMM-DJF

**EMERGENCY SUPPLEMENTAL NOTICE
OF IMMINENT IRREPARABLE HARM**

**AND STATUS UPDATE REGARDING
MAY 17, 2025 STATE COURT HEARING**

15 v.

16 Legal Assistance of Dakota County;
17 Sharon Jones Esq., in her Individual and
18 Official capacities;
19 Hon. David Lutz, in his individual and
20 Official capacities;
21 Hon. Tanya Obrien, in her individual and
22 official capacities;
23 Hon. Dannia L Edwards, in her individual
24 and official capacities;
25 Lydia Clemens, in her individual and
26 official capacities;
27 Michelle Cathleen Ybarra,
28
29 Defendants.

30 TO THE HONORABLE COURT:

31 Plaintiff Steve Salvador Ybarra submits this emergency supplement to advise the Court of
32 imminent constitutional harm scheduled to occur on May 17, 2025, in Dakota County Family
33 Court Case No. 19AV-FA-24-839, currently presided over by Defendant Judge David Lutz, a
34

SCANNED

MAY 13 2025

U.S. DISTRICT COURT MPLS

named party in this action.

I. STATUS UPDATE AND TRANSCRIPT FACTS

1. On May 12, 2025, a hearing was conducted in state court wherein Plaintiff again raised the following:

- Verified federal complaint served on May 2, 2025;
- Reaffirmed motion for recusal under Canon 2.11(A)(6)(a);
- Asserted ongoing fraud upon the court and suppression of material evidence;
- Cited jurisdictional fraud under the UCCJEA and requested an evidentiary hearing.

2. Judge Lutz responded by:

- **Refusing to hold an evidentiary hearing** on any Rule 60.02(d) motions alleging fraud, perjury, and ghostwriting;
- **Denying the motion to dismiss for lack of subject-matter jurisdiction**, erroneously stating Plaintiff waived the defect by filing a counter-petition, despite clear precedent (H.M.B. v. E.T.M., Minn. Ct. App. 2022 WL 897216);
- **Denying recusal** despite admitting a prior working relationship with Legal Assistance of Dakota County ;
- Stating **he does not see a prima facie case of fraud upon the court** and would proceed directly to trial ;
- Confirming that **rulings on motions will not be issued until up to 90 days post-hearing**, effectively denying Plaintiff access to appellate or timely federal relief.

3. Judge Lutz set a continuation hearing for **May 17, 2025**, yet expressly refused to adjudicate or hold any hearing on:

- Verified allegations of perjury, sealed discovery concealment, or ghostwritten affidavits;
- Unrebutted financial fraud affecting Legal Aid eligibility;
- Any pending 60.02(d) motions filed as early as February 2025.

II. IMMINENT HARM AND FEDERAL INTERFERENCE

4. The May 17, 2025 hearing is not a substantive proceeding. It has been scheduled for the limited purpose of allowing Plaintiff to "argue motions" that Judge Lutz has openly declared he will not rule on until after trial.
5. This proceeding will:
 - Permit the court to **preserve fraudulent orders** based on un rebutted falsehoods;
 - **Suppress access to review** by appellate or federal courts;
 - Allow a named federal defendant (Judge Lutz) to **continue issuing rulings** while under live federal civil rights and RICO scrutiny;
 - Result in **irreparable harm** to Plaintiff's parental rights without evidentiary review or neutral forum access.

III. REQUEST FOR RELIEF

Plaintiff respectfully requests that this Court:

1. **Take judicial notice** of the May 12, 2025 on-record denials of evidentiary hearings, recusal, and jurisdictional review;
2. **Issue an immediate ruling on the pending TRO and Preliminary Injunction** filed on April 30, 2025 and supplemented on May 7 and 12, 2025;
3. **Alternatively**, issue a stay or interim protective order **enjoining the May 17 hearing** pending adjudication of the federal claims, including:
 - Fraud upon the court,
 - Due process violations,
 - Judicial conflict,
 - RICO predicate acts;
4. **Order expedited status conference** or telephonic hearing to assess immediate federal relief.

Respectfully submitted,

1 **Dated: May 13, 2025**

2 **Hennepin County, Minnesota**

3 **/s/ Steve Salvador Ybarra**

4 Steve Salvador Ybarra

5 Pro Se Litigant

6 California | Minnesota

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10 **CERTIFICATE OF SERVICE**

11 I hereby certify that on **May 12, 2025**, I served a true and correct copy of the attached:
12 **EMERGENCY SUPPLEMENTAL NOTICE OF IMMINENT IRREPARABLE HARM**
13 **AND STATUS UPDATE REGARDING MAY 17, 2025 STATE COURT HEARING**
14
15

16 upon the following parties by email and/or U.S. Mail:

17 • **Legal Assistance of Dakota County**

18 Email: admin@dakotalegal.org

19 • **Sharon Jones, Esq.**, in her individual and official capacities

20 Legal Assistance of Dakota County

21 Email: sjones@dakotalegal.org

22 • **Hon. David Lutz**, in his individual and official capacities

23 Dakota County District Court

24 1560 Highway 55, Hastings, MN 55033

25 Email: Raymond.mestad@courts.state.mn.us

26 • **Hon. Tanya O'Brien**, in her individual and official capacities

27 Dakota County District Court

28 1560 Highway 55, Hastings, MN 55033

1 Email:

- 2 • **Hon. Dannia L. Edwards**, in her individual and official capacities

3 Dakota County District Court

4 1560 Highway 55, Hastings, MN 55033

5 Email:

- 6 • **Lydia Clemens**, Guardian ad Litem, in her individual and official capacities

7 First Judicial District GAL Program

8 Email: Lydia.clemens@courts.state.mn.us

- 9 • **Michelle Cathleen Ybarra**, Respondent

10 Email: shellbell@hotmail.com

11 This notice was served to all named parties via email where available and U.S. Mail where
12 necessary, consistent with Fed. R. Civ. P. 5(b) and Local Rule 7.1.

13 Respectfully submitted,

14 /s/ **Steve Salvador Ybarra**

15 Pro Se Litigant

16 Steve@TheoryWerkx.com

17 (612) 544-4380

18 Executed May 12, 2025